

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

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JAMES KELLY MONROE, #167 435

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Plaintiff,

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v.

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2:06-CV-928-MEF

OFFICER L. THOMAS, *et al.*,

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Defendants.

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**ORDER ON MOTION**

Before the court is Plaintiff's Motion for Leave to File an Amend Complaint. (Doc. No. 17.) Plaintiff seeks to name Ms. Sagers, Administrator of the prison health provider as a defendant and to assert additional claims for relief. Upon consideration of Plaintiff's motion, and for good cause, it is

ORDERED that:

1. The Motion for Leave to File an Amend Complaint (Doc. No. 17) is GRANTED;
2. Defendant Sagers undertake a review of the subject matter of the complaint, as amended, (a) to ascertain the facts and circumstances; (b) to consider whether any action should be taken to resolve the subject matter of the complaint; and (c) to determine whether other similar complaints should be considered together;
3. Defendant Sagers shall file a written report containing the sworn statements of all

persons having knowledge of the subject matter of the complaint, as amended. This report shall be filed with the court and a copy served upon Plaintiff within forty (40) days of the date of this order. Authorization is hereby granted to interview all witnesses, including Plaintiff. Whenever relevant, copies of medical and/or psychiatric records shall be attached to the written report. Where Plaintiff's claims or Defendants' defenses relate to or involve the application of administrative rules, regulations or guidelines, the written report shall include copies of all such applicable administrative rules, regulations or guidelines.

4. An answer shall be filed by Defendant Sagers within forty (40) days from the date of this order;

5. No motion for summary judgment, motion to dismiss or any other dispositive motions addressed to the complaint, as amended, be filed by any party without permission of the court. If any pleading denominated as a motion for summary judgment, motion to dismiss or other dispositive motion is sent to the court, the court shall not file or otherwise treat the pleading as a dispositive motion until and unless further order of the court.

The CLERK is hereby DIRECTED to furnish a copy of this order to Plaintiff and a copy of this order, the complaint and amendment to the complaint to Ms. Sagers, Administrator of the prison health care provider. A copy of this order and the amendment to the complaint shall likewise be furnished to all other Defendants, counsel of record, the General Counsel for the Alabama Department of Corrections, the Attorney General for the

State of Alabama, and to the General Counsel for Prison Health Services, Inc.

Done, this 5th day of January 2007.

/s/Charles S. Coody  
CHARLES S. COODY  
CHIEF STATES MAGISTRATE JUDGE